

United States District Court

EASTERN DISTRICT OF TEXAS

SHERMAN DIVISION

JASON MORGAN,

Plaintiff,

V.

WESTERN RIM INVESTORS 2013-3, L.P.,
NEWPORT CLASSIC HOMES, L.P., and
WW WOODBRIDGE, L.P.,

Defendants;

WESTERN RIM INVESTORS 2013-3, L.P.,
NEWPORT CLASSIC HOMES, L.P.,

Defendants and Third-Party
Plaintiffs,

V.

NTS ARCHITECTS & PLANNERS, INC.
and DAVID J. KIRCH,

Third-Party Defendants.

CIVIL ACTION NO. 4:16-CV-454

JUDGE MAZZANT/JUDGE JOHNSON

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On February 6, 2018, the report of the Magistrate Judge (Dkt. #132) was entered containing proposed findings of fact and recommendations that the parties' Stipulation of Dismissal with Prejudice (Dkt. #131) should be **GRANTED**.

Having received the report of the United States Magistrate Judge, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the

Magistrate Judge's report as the findings and conclusions of the Court. Therefore, the parties' Stipulation of Dismissal with Prejudice (Dkt. #131) is **GRANTED**.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITH PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.

SIGNED this 7th day of February, 2018.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE